

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 11, 2006

DIVISION TWO

B179402 Taylor et al. (Not for Publication)
v.
CMI Insurance Company Limited et al.

The order granting CMI's motion to quash is affirmed. CMI is awarded costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B187122	People v. Gutierrez
B185014	People v. Simonian
B183562	People v. Hooter

Argument waived, cause submitted.

DIVISION THREE (Continued)

B183316 People
 v.
 Green

Merits:

Argued by Maria Morga for appellant and by Dawn S. Mortazavi, Deputy Attorney General for respondent. Cause submitted.

B176715 Hindin/Owen/Engelke, Inc.
 v.
 Cardiotech International, LLC, et al.

Merits:

Argued by Eric E. Hawes for respondents. No appearance by the appellant. Cause submitted.

B178155 Benson
 v.
 Benson

Merits:

Argued by Kent Bridwell for appellant and by Damian Nolan for respondent. Cause submitted.

B184043 Tortorella
 v.
 Castro

Merits:

Argued by Martin Stein for appellant and by Kevin H. Park for respondent. Cause submitted.

April 11, 2006 (Continued)

DIVISION THREE (Continued)

B178751 Yoshinoya West, Inc.
 v.
 Franchise Tax Board

Merits:

Argued by Hilary Kingstron for appellant and by Donald Currier, Deputy Attorney General for respondent. Cause submitted.

Court recessed at 11:42 a.m.

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B189099 Angel F. v. S.C.L.A.

Argument waived, cause submitted.

B184157 Bellone
 v.
 Hekmatjah

Merits:

Argued by Michael J. Fucci for appellant and by Priscilla Slocum for respondent. Cause submitted.

B180552 Theraube
 v.
 Rodriguez, et al.

Merits:

Argued by William R. Larr for appellant and by Steven Barardino and John Messina for respondents. Cause submitted.

Court adjourned.

April 11, 2006 (Continued)

DIVISION FOUR

B178314 People
 v.
 Johnson

Filed order denying petition for rehearing.

DIVISION FIVE

B185886 In re: Rayvon T (Not for Publication)
 v.
 Los Angeles County, D.C.S.
 Rayvon T. Sr.

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

DIVISION SIX

B185354 People (Not for Publication)
 v.
 Creech

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
 Coffee, J.

April 11, 2006 (Continued)

DIVISION SIX (Continued)

B187452 People v. Bolling (Not for Publication)

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

DIVISION SEVEN

B185990 People v. Galos (Not for Publication)

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
Zelon, J.

B182437 Hernandez (Certified for Publication)
v.
City of Pomona et al.,

The judgment is reversed. Plaintiffs are awarded their costs on appeal.

Johnson, J.

We concur: Perluss, P.J.
Woods, J.

April 11, 2006 (Continued)

DIVISION SEVEN (Continued)

B181295 Wondries (Not for Publication)
v.
Wondries

The trial court is directed to modify the judgment granting early termination of marital status by changing the second paragraph under paragraph numeral 2 to read: "Until judgment has been entered on all remaining issues and has become final, in the event of petitioner's death, petitioner's estate shall indemnify and hold respondent harmless from additional capital gains tax liability payable by respondent as a result of a taxable event occurring incident to the ultimate division of the community estate, which additional taxes would not have been payable had respondent been able to claim a stepped up tax basis as petitioner's surviving spouse at the time the division was made." As so modified, the judgment is affirmed. Each side is to bear its own costs on appeal.

Johnson, J.

We concur: Perluss, P.J.
Zelon, J.

DIVISION EIGHT

B182744 People (Not for Publication)
v.
Carlos H.,
In re Carlos H., a Person Coming Under the Juvenile Court Law.

The juvenile court's order declaring Carlos a ward of the court pursuant to Welfare and Institutions Code section 602 is reversed.

Cooper, P.J.

We concur: Boland, J.
Flier, J.

DIVISION EIGHT (Continued)

B176816 Future-Link, Inc., (Not for Publication)
 v.
 WebTV Networks, Inc.,

The judgment is reversed.

Cooper, P.J.

We concur: Rubin, J.
 Boland, J.

B184836 Los Angeles County, D.C.S. (Certified for Partial Publication)
 v.
 Margaret M. and Fernando M.,

The order terminating mother's parental rights identifying adoption as Fernando's permanent plan is reversed. The juvenile court is directed to enter a new order identifying legal guardianship as Fernando's permanent plan.

Cooper, P.J.

We concur: Rubin, J.
 Flier, J.

B187318 People (Not for Publication)
 v.
 Washington

The appeal is dismissed.

Cooper, P.J.

We concur: Rubin, J.
 Boland, J.

B178088 Los Angeles County, D.C.S. v. Joyce P.

Filed order denying petition for rehearing.